

A BILL TO BE ENTITLED

AN ACT

appropriating money for the support of the Judicial, Executive and Legislative Branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the fiscal year beginning September 1, 1968, and ending August 31, 1969; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE I

THE JUDICIARY

Section 1. The following sums, or as much of them as may be necessary for the objects and purposes shown, are appropriated from the General Revenue Fund or from such other sources as may be specified, for the expenses of the Judiciary and of the judicial service units of this State for the year shown:

COURTS OF CIVIL APPEALS

For the Year Ending
August 31, 1969

First District, Houston

Personal Services--

1.	Judges, 3 at \$24,000	\$	72,000
2.	Clerk		10,000
3.	Deputy Clerk		5,808
4.	Stenographer III		5,808
5.	Briefing Legal Clerk		7,000

Subtotal, Personal Services \$ 100,616

6.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay		3,400
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Total, First District, Houston \$ 104,016

Second District, Fort Worth

Personal Services--

1.	Judges, 3 at \$24,000	\$	72,000
2.	Clerk		10,000
3.	Deputy Clerk		5,256
4.	Stenographer III		4,920
5.	Janitor (part-time)		1,770
6.	Briefing Legal Clerk		7,000

Subtotal, Personal Services \$ 100,946

COURTS OF CIVIL APPEALS
(Continued)

For the Year Ending
August 31, 1969

7.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	\$ 3,400
	Total, Second District, Fort Worth Third District, Austin	<u>\$ 104,346</u>

Personal Services--

1.	Judges, 3 at \$24,000	\$ 72,000
2.	Clerk	10,000
3.	Deputy Clerk	5,256
4.	Stenographer III	4,920
5.	Janitor (part-time)	1,770
6.	Briefing Legal Clerk	<u>7,000</u>
	Subtotal, Personal Services	\$ 100,946

7.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	3,400
8.	Additional law books	<u>1,500</u>
	Total, Third District, Austin	<u>\$ 105,846</u>

Any unexpended balance as of August 31, 1968 in Item 7 for the Third Judicial District, Austin, in the general appropriation made by the 60th Legislature, Regular Session (Senate Bill No. 15) is hereby reappropriated for the fiscal year beginning September 1, 1968 for the purposes stated in said item.

For the Year Ending
August 31, 1969

Fourth District, San Antonio

Personal Services--

1.	Judges, 3 at \$24,000	\$ 72,000
2.	Clerk	10,000
3.	Deputy Clerk	5,256
4.	Secretary II	4,920
5.	Stenographer I	4,176
6.	Briefing Legal Clerk	<u>7,000</u>
	Subtotal, Personal Services	\$ 103,352

7.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,400</u>
	Total, Fourth District, San Antonio	<u>\$ 106,752</u>

COURTS OF CIVIL APPEALS
(Continued)

For the Year Ending
August 31, 1969

Fifth District, Dallas

Personal Services--

1. Judges, 3 at \$24,000	\$	72,000
2. Clerk		10,000
3. Deputy Clerk		5,808
4. Stenographer III		5,808
5. Janitor		3,540

Subtotal, Personal Services	\$	97,156
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6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay		3,560
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Total, Fifth District, Dallas	\$	<u>100,716</u>
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Sixth District, Texarkana

Personal Services--

1. Judges, 3 at \$24,000	\$	72,000
2. Clerk		10,000
3. Deputy Clerk		5,256
4. Stenographer III		5,256
5. Janitor (part-time)		1,770
6. Briefing Legal Clerk		7,000

Subtotal, Personal Services	\$	101,282
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7. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay		3,400
8. Steel bookcases		750

Total, Sixth District, Texarkana	\$	<u>105,432</u>
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Any unexpended balance as of August 31, 1968 in Item 7 for the Sixth Judicial District, Texarkana, in the general appropriation made by the 60th Legislature, Regular Session (Senate Bill No. 15) is hereby reappropriated for the fiscal year beginning September 1, 1968 for the purposes stated in said item.

COURTS OF CIVIL APPEALS
(Continued)For the Year Ending
August 31, 1969Seventh District, Amarillo

Personal Services--

1.	Judges, 3 at \$24,000	\$	72,000
2.	Clerk		10,000
3.	Deputy Clerk		5,256
4.	Stenographer III		4,920
5.	Briefing Legal Clerk		7,000

Subtotal, Personal Services	\$	99,176
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6.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay		3,400
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Total, Seventh District, Amarillo	\$	<u>102,576</u>
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Eighth District, El Paso

Personal Services--

1.	Judges, 3 at \$24,000	\$	72,000
2.	Clerk		10,000
3.	Deputy Clerk		5,256
4.	Stenographer III		4,920
5.	Clerk I		3,540
6.	Briefing Legal Clerk		7,000

Subtotal, Personal Services	\$	102,716
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7.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay		3,400
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Total, Eighth District, El Paso	\$	<u>106,116</u>
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Ninth District, Beaumont

Personal Services--

1.	Judges, 3 at \$24,000	\$	72,000
2.	Clerk		10,000
3..	Deputy Clerk		5,256
4.	Stenographer III		4,920
5.	Janitor (part-time)		1,770
6.	Briefing Legal Clerk		7,000

Subtotal, Personal Services	\$	100,946
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7.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay		3,400
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Total, Ninth District, Beaumont	\$	<u>104,346</u>
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COURTS OF CIVIL APPEALS
(Continued)

For the Year Ending
August 31, 1969

Tenth District, Waco

Personal Services--

1.	Judges, 3 at \$24,000	\$ 72,000
2.	Clerk	10,000
3.	Deputy Clerk	5,256
4.	Stenographer III	4,920
5.	Janitor (part-time)	1,770
6.	Briefing Legal Clerk	7,000

Subtotal, Personal Services \$ 100,946

7.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	3,400
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Total, Tenth District, Waco \$ 104,346

Eleventh District, Eastland

Personal Services--

1.	Judges, 3 at \$24,000	\$ 72,000
2.	Clerk	10,000
3.	Deputy Clerk	5,256
4.	Stenographer III	4,920
5.	Janitor (part-time)	1,770
6.	Briefing Legal Clerk	7,000

Subtotal, Personal Services \$ 100,946

7.	Additional law books	1,000
8.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	3,400

Total, Eleventh District, Eastland \$ 105,346

COURTS OF CIVIL APPEALS
(Continued)

For the Year Ending
August 31, 1969

Twelfth District, Tyler

Personal Services--

1.	Judges, 3 at \$24,000	\$ 72,000
2.	Clerk	10,000
3.	Deputy Clerk	5,256
4.	Stenographer III	4,920
5.	Janitor (part-time)	1,770
6.	Briefing Legal Clerk	<u>7,000</u>

Subtotal, Personal Services \$ 100,946

7.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,400</u>
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Total, Twelfth District, Tyler \$ 104,346

Thirteenth District, Corpus Christi

Personal Services--

1.	Judges, 3 at \$24,000	\$ 72,000
2.	Clerk	10,000
3.	Deputy Clerk	5,256
4.	Stenographer III	4,920
5.	Clerk I	3,540
6.	Briefing Legal Clerk	<u>7,000</u>

Subtotal, Personal Services \$ 102,716

7.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,400</u>
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Total, Thirteenth District,
Corpus Christi \$ 106,116

Fourteenth District, Houston

Personal Services--

1.	Judges, 3 at \$24,000	\$ 72,000
2.	Clerk	10,000
3.	Deputy Clerk	5,808
4.	Stenographer III	5,808
5.	Briefing Legal Clerk	<u>7,000</u>

Subtotal, Personal Services \$ 100,616

6.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>3,400</u>
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Total, Fourteenth District, Houston \$ 104,016

SUPREME COURT OF TEXAS

For the Year Ending
August 31, 1969

Personal Services--

1. Judges, 9 at \$27,000	\$ 243,000
2. Clerk, Supreme Court (0429)	12,500
3. Chief Deputy Clerk, Supreme Court (0425)	8,628
4. Administrative Assistant (3541)	8,916
5. Secretary, Board of Law Examiners (0418)	10,000
6. Secretary II for Secretary, Board of Law Examiners (0133)	4,320
7. Briefing Attorneys (3561), 9 NTE \$7,000	63,000
8. Salaries of Classified Positions	89,838
9. Merit Salary Increases	<u>1,527</u>

Subtotal, Personal Services	\$ 441,729
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Other Expenses--

10. Travel	1,000
11. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	21,360
12. For expenses incurred by District Judges in attending the National College of State Trial Judges	<u>5,000</u>

Total, Supreme Court of Texas	<u>\$ 469,089</u>
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The appropriation made in the item "Salaries of Classified Positions" above shall be used to employ personnel in the classified positions listed below, according to the provisions of this Act relating to the Position Classification Plan. Each job title authorizes one full-time position, except where a number following the job title indicates more than one position.

SCHEDULE OF CLASSIFIED POSITIONS, SUPREME COURT OF TEXAS

Group 12

7402 Librarian II

Group 10

7401 Librarian I

Group 9

0421 Deputy Clerks, 3

Group 7

0135 Secretary III, 9

Group 4

0053 Clerk II

Group 2

0011 Messenger

0051 Clerk I

8001 Janitor

SUPREME COURT OF TEXAS
(Continued)

The Librarian I position authorized above shall be part-time, 34 hours per week. It is the legislative intent that the Chief Justice shall exercise complete control over the hiring and dismissal of any person or persons occupying such position and that such position shall be used to keep the Supreme Court Library open from 5:00 p.m. until 11:00 p.m. on Mondays through Fridays, and from 9:00 a.m. to 1:00 p.m. on Saturdays, except designated State holidays.

Expenditures from the appropriation made for expenses incurred in attending the National College of Trial Judges may be made by the Chief Justice upon presentation of a sworn account setting forth the purposes for which the expense was incurred and the amounts thereof.

Any unexpended balance as of August 31, 1968, in Item 12, for the Supreme Court in the General Appropriations made by the 60th Legislature, Regular Session (Senate Bill No. 15) is hereby reappropriated for the fiscal year beginning September 1, 1968 for the purposes stated in said item. The unexpended balance may be transferred on written order made by the Chief Justice to that Court or Courts of Civil Appeals which may incur the specified expenses in the appeal of the case therein named.

COURT OF CRIMINAL APPEALS

For the Year Ending
August 31, 1969

Personal Services--

1. Judges, 5 at \$27,000	\$	135,000
2. Clerk, Court of Criminal Appeals (0415)		12,500
3. Chief Deputy Clerk (0425)		8,628
4. Briefing Attorneys (3561), 5 NTE \$7,000		35,000
5. Salaries of Classified Positions		38,868
6. Merit Salary Increases		<u>660</u>
Subtotal, Personal Services	\$	230,656

Other Expenses--

7. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay		10,000
8. Travel Expense		<u>1,000</u>
Total, Court of Criminal Appeals	\$	<u><u>241,656</u></u>

The appropriation made in the item "Salaries of Classified Positions" above shall be used to employ personnel in the classified positions listed below, according to the provisions of this Act relating to the Position Classification Plan. Each job title authorizes one full-time position, except where a number following the job title indicates more than one position.

COURT OF CRIMINAL APPEALS
(Continued)Group 9

0411 Deputy Clerk

Group 7

0135 Secretary III, 5

Group 6

0128 Stenographer III, (NLT \$4,920)

Group 2

8001 Janitor

STATE PROSECUTING ATTORNEY BEFORE THE COURT OF CRIMINAL APPEALS

For the Year Ending
August 31, 1969

Personal Services--

1.	State's Attorney	\$	18,000
2.	Secretary III		<u>5,436</u>
	Total, Personal Services	\$	23,436

Other Expenses--

3.	Travel		700
4.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay		<u>1,192</u>

Total, State Prosecuting Attorney Before the Court of Criminal Appeals	\$	<u><u>25,328</u></u>
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CIVIL JUDICIAL COUNCIL

Personal Services--

1.	Executive Secretary	\$	7,080
2.	Stenographer I		4,044
3.	Part-time and seasonal help (NTE \$7,200 per annum)		<u>2,800</u>

Total, Personal Services	\$	13,924
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4.	Travel, consumable supplies and materials, current and recurring operating expense, and capital outlay, to carry out the purposes of Chapter 19, Acts, Forty-first Legislature, First Called Session, 1929, the sum of		<u>5,884</u>
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Total, Civil Judicial Council	\$	<u><u>19,808</u></u>
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JUDICIAL QUALIFICATIONS COMMISSION

For the Year Ending
August 31, 1969

1. Executive Director	\$ 20,000
2. For necessary expenses in carrying out the provisions of Article 5, Section 1-a, of the Constitution, for salaries, wages and travel of employees, and travel and other actual expenses of Commission members, and capital outlay, current and recurring operating and other expenses	<u>29,200</u>
Total, Judicial Qualifications Commission	<u>\$ 49,200</u>

JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT

1. Salaries of 182 District Judges and Criminal District Judges, at \$18,000	\$ 3,276,000
2. District Judges' expenses while engaged in the actual performance of their duties, not to exceed \$500 per county when the judicial district is composed of more than one county, and not to exceed \$3,000 in any fiscal year	142,000
3. Special District Judges' salaries and regular District Judges' expenses when holding court out of their districts, including the per diem for judges temporarily assigned outside their Administrative Judicial Districts or counties pursuant to Senate Bill No. 349, Acts 1961, 57th Legislature, Regular Session	<u>50,000</u>
Total, District Judges	<u>\$ 3,468,000</u>

JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT
(Continued)

For the Year Ending
August 31, 1969

4.	Salaries of 65 District Attorneys at \$10,000 per year	\$ 650,000
5.	Salaries of the Assistant District Attorneys of the 53rd Judicial District (Travis County), 2 NTE \$5,000	10,000
6.	District Attorneys' expenses while engaged in the actual performance of their duties, not to exceed \$500 per county when the judicial district is composed of more than one county, and not to exceed \$3,000 in any fiscal year	<u>106,000</u>
	Total, District Attorneys	<u>\$ 766,000</u>
7.	Salary of Criminal District Attorney for Bowie County as per House Bill No. 308 of the 60th Legislature, Regular Session, 1967	\$ 10,000
8.	Salary of Criminal District Attorney for Callahan, Jones and Taylor Counties as per House Bill No. 1067 of the 60th Legislature, Regular Session, 1967	<u>10,000</u>
	Total, Criminal District Attorneys	<u>\$ 20,000</u>
9.	Apportionment to counties where county officers are paid salaries and where there is a Criminal District Attorney or County Attorney performing the duties of District Attorney (as per Subsection B, Section 13, of Chapter 465, Second Called Session, Acts, 44th Legislature, as amended, and House Bill No. 1038 of the 60th Legislature, Regular Session), or in counties having a Criminal District Court where the office of Criminal District Attorney has been abolished and the Constitutional office of District Attorney for such Criminal District Court created (as per House Bill No. 561 of the 53rd Legislature, Regular Session)	\$ 230,254

JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT
(Continued)

For the Year Ending
August 31, 1969

10.	Apportionment to counties where county officers are paid salaries (Chapter 465, Section 6 (a), Second Called Session, Acts, 47th Legislature). Should any county by election of the Commissioners Court, change from a salary to a fee basis, the Comptroller shall make adjustments in the appropriations by transferring the correct amount from this appropriation to the appropriation made for paying fees and costs of sheriffs and other county officials	\$ 614,506
11.	Fees and costs paid to sheriffs, attorneys and clerks in felony cases, and fees of county judges, county attorneys, justices of the peace, sheriffs and constables in examining trials where indictments are returned. Should any county, by election of the Commissioners Court, change from a fee basis to a salary basis, the Comptroller shall make adjustments in the appropriations by transferring the correct amount from this appropriation to the appropriation made for apportionment to counties where county officers are paid salaries	<u>9,080</u>
	Total, County Officers	<u>\$ 853,840</u>
12.	Expenses of attached witnesses, witness fees and mileage allowed witnesses where the witness lives outside the county where the case is being tried, allowed under Article 35.27, C.C.P.	\$ 60,000
13.	Travel expenses of judges of Courts of Civil Appeals when sitting in other districts	3,500
14.	Expenses of witnesses in felony cases or before a grand jury summoned under the provisions of Article 24.28 C.C.P., to attend and testify in this State	<u>2,000</u>
	Total, Judiciary Section - Comptroller's Department	<u>\$ 5,173,340</u>

JUDICIARY - SPECIAL PROVISIONS

Sec. 2. No funds appropriated in this Article for travel may be used to pay any expense of traveling outside the boundaries of the State of Texas, except the actual expenses of District Judges in attending the National College of State Trial Judges, the actual expenses of the State's Attorney when it is necessary that he appear before any court in behalf of this State and the actual expenses of the Chief Justice of the Supreme Court or his designated Associate Justice and the Presiding Judge of the Court of Criminal Appeals or his designated Judge in attending national or regional meetings of Chief Justices of the States or meetings of the governing body or committees of the National Conference of Chief Justices or joint meetings of members of the Federal Judiciary and State Chief Justices or meetings of organizations of which the State of Texas is a member and in which the membership of the State of Texas has been approved by the Legislature.

Sec. 3 (a). An annual report from each court shall be filed not later than sixty (60) days following the close of the calendar year with the Governor, and copies thereof with the Civil Judicial Council and the Legislative Budget Board, showing the total number of cases transferred to and from each court, and the number of cases disposed of with the proper subclassification as to the manner of disposition, such as by dismissal, final judgment, reversal and affirmance.

(b) Should any court or judicial agency fail to comply with the provisions of this Section, the Comptroller of Public Accounts is directed by the Legislature, under its authority as found in Section 10, Article XVI of the Constitution of the State of Texas, to withhold salary payments to the official or officials or employee or employees who are responsible for such failure.

RECAPITULATION

ARTICLE I - JUDICIARY

For the Year Ending
August 31, 1969

Out of the General Revenue Fund:

Courts of Civil Appeals:

First District, Houston	\$ 104,016
Second District, Fort Worth	104,346
Third District, Austin	105,846
Fourth District, San Antonio	106,752
Fifth District, Dallas	100,716
Sixth District, Texarkana	105,432
Seventh District, Amarillo	102,576
Eighth District, El Paso	106,116
Ninth District, Beaumont	104,346
Tenth District, Waco	104,346
Eleventh District, Eastland	105,346
Twelfth District, Tyler	104,346
Thirteenth District, Corpus Christi	106,116
Fourteenth District, Houston	104,016

Supreme Court	469,089
Court of Criminal Appeals	241,656
State Prosecuting Attorney	25,328
Civil Judicial Council	19,808
Judicial Qualifications Commission	49,200
Judiciary Section - Comptroller's Department	<u>5,173,340</u>

GRAND TOTAL, THE JUDICIARY	<u><u>\$ 7,442,737</u></u>
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